

Appln No. 09/711,648
Amdt date August 13, 2007
Reply to Office action of February 12, 2007

REMARKS/ARGUMENTS

In the Final Rejection dated February 12, 2007, the Examiner indicated that claims 42 and 43 are substantial duplicates of claims 1 and 23. However, Applicant has amended claims 1, 9 and 23 to remove the penetration monitoring electrode mounted on the injection needle. Accordingly, claims 42 and 43, which recite this limitation, are not substantial duplicates of claims 1 and 23, which do not recite the limitation.

The Examiner also rejected claims 1-3, 5-20, 23-25, 27, 28, 30-35, 39 and 42-47 either under 35 U.S.C. §102(b) as allegedly anticipated by, or under 35 U.S.C. §103(a) as allegedly obvious over Abele, et al. (U.S. Patent No. 5,403,311). However, Applicant has amended independent claims 1, 9 and 23 to recite that a portion of the injection needle comprises plastic tubing. Abele neither teaches nor suggests such a feature. Accordingly, independent claims 1, 9 and 23, and all claims dependent therefrom, including claims 2, 3, 5-8, 10-20, 24, 25, 27, 28, 30-35, 39 and 42-47, are allowable over Abele.

In addition, the Examiner rejected claims 4 and 26 under 35 U.S.C. §103(a) as allegedly obvious over Abele in view of Cosman (U.S. Patent No. 4,966,597). However, each of claims 4 and 26 depend from one of independent claims 1, 9 and 23, all of which are allowable over Abele as discussed above. Cosman fails to remedy the deficiencies of Abele, as Cosman fails to teach or suggest a catheter as recited in either independent claim 1, 9 or 23. Therefore, independent claims 1, 9 and 23, and all claims dependent therefrom, including claims 4 and 26, are allowable over Abele and Cosman.

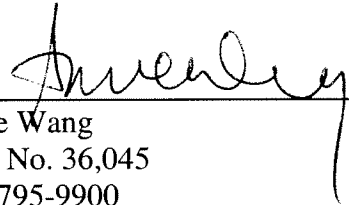
Claims 1-20, 23-28, 30-35, 39 and 42-47 remain pending in this application. By this amendment, Applicant has amended claims 1, 9 and 23. The amendments find full support in the original specification, claims and drawings, for example, at page 8, lines 15-17. No new matter is presented. In view of the above amendments and remarks, Applicant submits that all of pending claims 1-20, 23-28, 30-35, 39 and 42-47 are in condition for allowance. Applicant therefore respectfully requests a timely indication of allowance. However, if there are any

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remaining issues that can be addressed by telephone, Applicant invites the Examiner to contact Applicant's counsel at the number indicated below.

Respectfully submitted,
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